

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: DAVID A METCALF BRENDA D
 METCALF

Debtor(s)
JACK N. ZAHAROPOULOS
CHAPTER 13 TRUSTEE

CHAPTER 13

Movant
vs.
DAVID A METCALF BRENDA D
METCALF

CASE NO: 1-21-01149-HWV

Respondent(s)

TRUSTEE'S MOTION TO DISMISS CASE

AND NOW, on September 13, 2021, comes Jack N. Zaharopoulos, Standing Chapter 13 Trustee, by and through his attorney James K. Jones, Esquire, and respectfully represents the following:

1. A Plan was filed on May 20, 2021.
2. A hearing was held and an Order was entered on July 28, 2021 directing that an amended plan be filed within thirty (30) days.
3. As of the date of this Motion, an amended plan has not been filed.
4. The delay in filing a confirmable plan in this case is prejudicial to creditors.

WHEREFORE, your Trustee respectfully requests your Honorable Court dismiss the case upon the basis that Debtors have failed to propose a confirmable plan.

Respectfully submitted,

s/ James K. Jones, Esq.

Id: 39031

Attorney for Trustee
Jack N. Zaharopoulos
Standing Chapter 13 Trustee
Ste. A, 8125 Adams Drive
Hummelstown, PA 17036
Ph. 717-566-6097
Fax. 717-566-8313
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CHAPTER 13

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CHAPTER 13 TRUSTEE
Movant

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NOTICE

NOTICE IS HEREBY GIVEN that Jack N. Zaharopoulos, Standing Chapter 13 Trustee for the Middle District of Pennsylvania has filed a Motion to Dismiss for failure to file a confirmable Chapter 13 Plan.

YOU ARE HEREBY NOTICED that a hearing has been scheduled on this matter for:

Ronald Reagan Federal Bldg
Bankruptcy Courtroom, 3rd Floor
228 Walnut Street
Harrisburg, PA 17101

Date: October 27, 2021

Time: 09:35 AM

Any objection or response filed must be filed with the Clerk, U.S. Bankruptcy Court and served on the Chapter 13 Trustee.

Jack N. Zaharopoulos, Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
Phone: (717) 566-6097
Email: info@pamd13trustee.com

Dated: September 13, 2021

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CERTIFICATE OF SERVICE

I certify that I am more than 18 years of age and that on September 13, 2021, I served a copy of this Motion to Dismiss, Notice and Proposed Order on the following parties by 1st Class mail, unless served electronically.

NICHOLAS G PLATT, ESQUIRE
MOONEY LAW
230 YORK STREET
HANOVER, PA 17331-

Served electronically

United States Trustee
228 Walnut Street
Suite 1190
Harrisburg, PA 17101

Served electronically

DAVID A METCALF
324 FOX KNOLL CT.
HANOVER, PA 17331-

Served by 1st Class Mail

I certify under penalty of perjury that the foregoing is true and correct.

Date: September 13, 2021

Respectfully,
Vickie Williams
for Jack N. Zaharopoulos, Trustee
Suite A, 8125 Adams Dr.
Hummelstown, PA 17036
Phone: (717) 566-6097
eMail: info@pamd13trustee.com

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ORDER DISMISSING CASE

Upon consideration of the Trustee's Motion to Dismiss, it is hereby Ordered that the above-captioned bankruptcy be and hereby is dismissed. The Court retains jurisdiction to rule on any timely filed fee application.